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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,515	05/31/2001	Babu V. Mani	1285-0046US	3091

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ALCATEL USA
INTELLECTUAL PROPERTY DEPARTMENT
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PLANO, TX 75075

EXAMINER

HOMERE, JEAN RAYMOND

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/871,515

Applicant(s)

MANI, BABU V.

Examiner

Jean R. Homere

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 &
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements (IDS) submitted on 09/10/03 and 08/09/01 comply with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner. See attached IDS.

Related Applications

2. Applicants are advised to provide the serial numbers and corresponding statuses of all patent applications referenced at page 1 of this application. Applicants are also advised to delete all references made to docket numbers in the cited page.

Drawings

3. This application has been filed with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Zellner et al. ("Zelner"), US Patent No. 6,567,502.

As to claim 1, Zellner discloses the invention, as claimed, including a multimedia emergency services for remotely controlling one or more monitoring devices in a user's household in the event of an emergency (abstract, lines 1-4 et seq.) In particular, Zellner teaches the receipt of an emergency message from an authorized subscriber (col.4, lines 54-58 et seq.) Zellner also teaches a multimedia session engine that launches a call treatment application for the subscriber (col. 4, lines 58-63 et seq.) Zellner further teaches the querying of an emergency notification profile associated with the subscriber based on parametric information relating to the incoming emergency message (col. 5, lines 1-10 et seq.) Additionally, Zellner teaches the actuation of a subscriber-selectable device for effectuating a particular alert scheme (col. 5, lines 11-17 et seq.)

As to claim 2, Zellner teaches that the subscriber selectable device comprises a multimedia interface operable with the subscriber terminal (col. 6, lines 8-17 et seq.)

As to claim 3, Zellner teaches that in response to an incoming emergency message, if a requested emergency alert scheme is unavailable for delivery, selecting an alternative emergency alert scheme to notify the emergency (~~47~~. Col. 2, lines 15 et seq.)

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As to claim 4, Zellner teaches that an override option can be used against a particular alert scheme with respect to an incoming emergency message (col. 2, lines 35-50 et seq.)

As to claim 5, Zellner teaches that the emergency alert scheme includes an audio transmission mode (col. 6, lines 8-17 et seq.)

As to claim 6, Zellner teaches that the emergency alert scheme includes a video transmission mode (col. 6, lines 8-17 et seq.)

As to claim 7, Zellner teaches that the emergency alert scheme includes an e-mail transmission mode (col. 6, lines 21-22 et seq.)

As to claim 8, Zellner teaches that the emergency alert scheme includes a facsimile transmission mode (col. 6, lines 8-9 et seq.)

As to claim 9, Zellner teaches that the emergency alert scheme includes a paging transmission mode (col. 6, lines 8-17 et seq.)

As to claim 10, Zellner teaches that the emergency alert scheme includes a graphic transmission mode (col. 6, lines 8-17 et seq.)

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6. The limitations of claims 11-38 have already been discussed in the rejection of claims 1-10 above. They are therefore rejected on the same grounds.

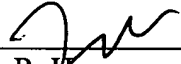
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean R. Homer whose telephone number is (703)-308-6647.

The examiner can normally be reached on Monday-Friday from 09:30 a.m.-6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breen, can be reached on Monday-Friday from 8:00 a.m. to 3:30 p.m. at (703)-305-9790.

Any response to this action should be mailed to: Commissioner of Patents and Trademarks Washington, D.C. 20231, **or faxed to:** (703) 872-9306. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.



Jean R. Homer
Primary Examiner, A.U. 2177
November 26, 2003